

RULES AND OPEN GOVERNMENT COMMITTEE

Meeting Report
September 4, 2013

PRESENT: Mayor Chuck Reed, Vice-Mayor Madison Nguyen, Councilmember Pete Constant and Councilmember Pierluigi Oliverio.

ABSENT: None.

STAFF: City Attorney Richard Doyle, Acting City Clerk Toni Taber, Assistant City Manager Ed Shikada, Mayor's Public Information Officer Michelle McGurk, Agenda Services Gloria Schmanek, and Deputy City Clerk Kathy Carrillo.

A. City Council (City Clerk)

1. Review September 10, 2013 Final Agenda
 - a. Add New Items to Final Agenda
 - b. Assign "Time Certain" to Agenda Items (if needed)
 - c. Review of Items that Meet Exception Rule (if needed)

Action: The Committee approved the amended agenda with changes and additions: 2.x (Actions Related to Councilmember Khamis' Travel to Washington, D.C.); Item 1.1 deferred to 10/8/2013; Item 4.2 not dropped, staff to revise language to show withdrawal of appeal; but to leave item so Council can discuss the use of CEQA to challenge projects.

2. Review September 17, 2013 Draft Agenda
 - a. Add New Items to Draft Agenda
 - b. Assign "Time Certain" to Agenda Items (if needed)
 - c. Review of Items that Meet Exception Rule (if needed)

Action: The Committee approved the agenda with changes: Item 3.4 replace Country in Title and Item text with County.

B. Review of Upcoming Study Session Agenda(s)

The Committee released the Study Session hold date of September 26, 2013.

C. Legislative Update

1. State
2. Federal

D. Meeting Schedules

1. Set a General Plan Hearing on October 22, 2013 at 7:00 p.m. (Planning, Building and Code Enforcement)

Documents Filed: Memorandum from the Director of Planning, Building and Code Enforcement Joseph Horwedel to Rules and Open Government Committee dated August 29, 2013, forwarding the recommendation.

D. Meeting Schedules (Cont.)

Planning, Building and Code Enforcement Assistant Director Laurel Prevetti answered the Committees questions.

Action: The Committee approved Item D.1.

2. Set an Evening Council Session on November 5, 2013 at 7:00 p.m. (Planning, Building and Code Enforcement)

Documents Filed: Memorandum from the Director of Planning, Building and Code Enforcement Joseph Horwedel to Rules and Open Government Committee dated August 29, 2013, forwarding the recommendation.

Action: The Committee approved Item D.2.

E. The Public Record

Documents Filed: Memorandum from the Acting City Clerk Toni Taber to Mayor and City Council dated August 30, 2013, transmitting the Public Record for the week of August 23, 2013 – August 29, 2013.

Councilmember Pete Constant pulled Item E.b, and noted that, although the letter doesn't refer to a City of San José issue, staff has worked with the City of Campbell and the Campbell School District to address the problems.

Action: The Committee noted and filed the public record.

F. Boards, Commissions and Committees

1. Appointments
2. Work Plans
3. Annual Reports

G. Rules Committee Reviews, Recommendations and Approvals

1. Workload Assessment for Council Requests and Referrals.
2. 2013 League of California Cities Resolutions. (City Manager's Office)
Approve the recommended City positions for two resolutions to be considered at the Annual League of California Cities (LOCC) Conference to be held in Sacramento, September 18 – 20, 2013. Placement of this item on the September 10, 2013, City Council agenda is requested.

Documents Filed: Memorandum from the Director of Intergovernmental Relations Betsy Shotwell to Rules and Open Government Committee dated August 26, 2013, forwarding the recommendation.

Intergovernmental Director Betsey Shotwell spoke in support of both resolutions.

Action: The Committee approved both recommended resolutions and forwarding them to the City Council for formal action on September 10, 2013.

G. Rules Committee Reviews, Recommendations and Approvals (Cont.)

3. SB 594 (Hill) Use of Public Resources. (City Manager's Office)
Pursuant to the City's streamlined bill process for responding quickly to legislative proposals, approve opposition for SB 594 (Hill).
Recommend a one-week turnaround to the City Council so that the City's legislative representative can advocate the City's opposition to SB 594.

Documents Filed: Memorandum from the Director of Intergovernmental Relations Betsy Shotwell to Rules and Open Government Committee dated August 29, 2013, forwarding the recommendation.

Intergovernmental Director Betsey Shotwell recommended that Item G.3 be dropped.

Action: The Committee dropped Item G.3.

4. Approve the District 5 Mexican Independence Day Flag Raising as a Council Sponsored Special Event, and expending funds and accepting donations from various individuals, businesses, or community groups to support the event, placing the item on the September 10, 2013 Agenda for action. (Campos)

Documents Filed: Memorandum from Councilmember Xavier Campos to Rules and Open Government Committee dated August 28, 2013, forwarding the recommendation.

Action: The Committee approved Item G.4 and forwarded it to the City Council for formal action on September 10, 2013.

5. Approve the District 2 Muslims for Life Blood as a Council Sponsored Special Event, and expending funds and accepting donations from various individuals, businesses, or community groups to support the event, placing the item on the September 10, 2013 Agenda for action. (Kalra)

Documents Filed: Memorandum from Councilmember Ash Kalra to Rules and Open Government Committee dated August 22, 2013, forwarding the recommendation.

Action: The Committee approved Item G.5 and forwarded it to the City Council for formal action on September 10, 2013.

6. University Corridor Overlay Along Story Road
City Council should consider adding the following recommendation to the September 10th 2013-2014 Council Priority Policies and Ordinances: Direct staff to develop a University Corridor Overlay along Story Road from the Lower Silvercreek crossing Story Road to Clayton Road. (Campos)

Documents Filed: Memorandum from Councilmember Xavier Campos to Rules and Open Government Committee dated August 29, 2013, forwarding the recommendation.

Councilmember Xavier Campos and Planning, Building and Code Enforcement Assistant Director Laurel Prevetti offered further explanation and were available to answer the Committee's questions.

G. Rules Committee Reviews, Recommendations and Approvals (Cont.)

Action: The Committee approved Item G.6 adding it to the September 10th 2013-2014 Council Priority Policies and Ordinances.

H. Review of additions to Council Committee Agendas/Workplans

1. Community and Economic Development Committee
2. Neighborhood Services and Education Committee
3. Transportation and Environment Committee
4. Public Safety, Finance and Strategic Support Committee
 - a. Add to the September 19, 2013 meeting agenda of the Public Safety, Finance, and Strategic Support Committee and the September 23, 2013 meeting agenda of the Community and Economic Development Committee the following item: 2013 California Building Standards Ordinance Implementation. (Planning, Building and Code Enforcement/Fire)

Documents Filed: Memorandum from the Director of Planning, Building and Code Enforcement Joseph Horwedel and Acting Fire Chief Ruben Torres to Rules and Open Government Committee dated August 22, 2013, forwarding the recommendation.

Action: The Committee approved both recommendations for Item H.4.a.

I. Open Government

1. Appeals of Public Records Act Request

J. Open Forum

None.

K. Adjournment.

The meeting adjourned at 2:32 p.m.



Mayor Chuck Reed
Rules and Open Government Committee